

## Federal Acquisition Regulation

53.301-35

## 53.301-35 Annual Performance Bond.

ANNUAL PERFORMANCE BOND (See instructions on reverse)	DATE BOND EXECUTED	FORM APPROVED OMB NO.  9000-0045																						
<small>Public reporting burden for this collection of information is estimated to average 25 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the FAR Secretariat (VRS), Office of Federal Acquisition Policy, GSA, Washington, D.C. 20405; and to the Office of Management and Budget, Paperwork Reduction Project (9000-0045), Washington, D.C. 20503.</small>																								
PRINCIPAL (Legal name and business address)	TYPE OF ORGANIZATION ("X" one)																							
	<input type="checkbox"/> INDIVIDUAL <input type="checkbox"/> PARTNERSHIP <input type="checkbox"/> JOINT VENTURE <input type="checkbox"/> CORPORATION STATE OF INCORPORATION _____																							
SURETY(IES) (Name, business address, and State of incorporation)	PENAL SUM OF BOND																							
	MILLION(S)	THOUSAND(S) HUNDRED(S) CENTS																						
	FISCAL YEAR ENDING  September 30, 19____																							
AGENCY REPRESENTING THE GOVERNMENT																								
<p>OBLIGATION: We, the Principal and Surety(ies), are firmly bound to the United States of America (hereinafter called the Government) in the above penal sum. For payment of the penal sum, we bind ourselves, our heirs, executors, administrators, and successors, jointly and severally.</p> <p>CONDITIONS: The Principal contemplates entering into contracts, from time to time during the fiscal year shown above, with the Government department or agency shown above, for furnishing supplies or services to the government. The Principal desires that all of those contracts be covered by one bond instead of by a separate performance bond for each contract.</p> <p>THEREFORE: The above obligation is void if the Principal - (a) performs and fulfills all the undertakings, covenants, terms, conditions, and agreements of any and all of those contracts entered into during the original term and any extensions granted by the Government with or without notice to the surety(ies) and during the life of any guaranty required under the contracts; and (b) performs and fulfills all the undertakings, covenants, terms, conditions, and agreements of any and all duly authorized modifications of those contracts, that subsequently are made. Notice of those modifications to the surety(ies) is waived.</p> <p>WITNESS: The Principal and Surety(ies) executed this performance bond and affixed their seals on the above date.</p>																								
<table border="1" style="width: 100%; border-collapse: collapse;"><thead><tr><th style="width: 45%;">SIGNATURES</th><th style="width: 55%;">NAMES AND TITLES (Typed)</th></tr></thead><tbody><tr><td colspan="2" style="text-align: center;"><b>PRINCIPAL</b></td></tr><tr><td>1. _____ (Seal)</td><td>1. _____ Corporate Seal</td></tr><tr><td>2. _____ (Seal)</td><td>2. _____ Corporate Seal</td></tr><tr><td>3. _____ (Seal)</td><td>3. _____ Corporate Seal</td></tr><tr><td colspan="2" style="text-align: center;"><b>INDIVIDUAL SURETIES</b></td></tr><tr><td>1. _____ (Seal)</td><td>1. _____</td></tr><tr><td>2. _____ (Seal)</td><td>2. _____</td></tr><tr><td colspan="2" style="text-align: center;"><b>CORPORATE SURETY</b></td></tr><tr><td>1. _____</td><td>1. _____ Corporate Seal</td></tr><tr><td>2. _____</td><td>2. _____ Corporate Seal</td></tr></tbody></table>			SIGNATURES	NAMES AND TITLES (Typed)	<b>PRINCIPAL</b>		1. _____ (Seal)	1. _____ Corporate Seal	2. _____ (Seal)	2. _____ Corporate Seal	3. _____ (Seal)	3. _____ Corporate Seal	<b>INDIVIDUAL SURETIES</b>		1. _____ (Seal)	1. _____	2. _____ (Seal)	2. _____	<b>CORPORATE SURETY</b>		1. _____	1. _____ Corporate Seal	2. _____	2. _____ Corporate Seal
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<small>AUTHORIZED FOR LOCAL REPRODUCTION      EXPIRATION DATE 12-31-92      35-105      STANDARD FORM 35 (REV. 1-90) Prescribed by GSA - FAR (48 CFR) 53.228(g) Previous edition not usable</small>																								

## INSTRUCTIONS

1. This form is authorized for use in the acquisition of supplies and services, excluding construction, in lieu of Standard Form 25 (Performance Bond). Any deviation from this form will require the written approval of the Administrator of General Services.
2. Insert the full legal name and business address of the Principal in the space designated "Principal" on the face of the form. An authorized person shall sign the bond. Any person signing in a representative capacity (e.g., an attorney-in-fact) must furnish evidence of authority if that representative is not a member of the firm, partnership, or joint venture, or an officer of the corporation involved.
3. (a) Corporations executing the bond as sureties must appear on the Department of the Treasury's list of approved sureties and must act within the limitation listed therein.  
  
(b) Where individual sureties are involved, a completed Affidavit of Individual Surety (Standard Form 28), for each individual surety, shall accompany the bond. The Government may require the surety to furnish additional substantiating information concerning its financial capability.
4. Corporations executing the bond shall affix their corporate seals. Individuals shall execute the bond opposite the word "Corporate Seal"; and shall affix an adhesive seal if executed in Maine, New Hampshire, or any other jurisdiction requiring adhesive seals.
5. Type the name and title of each person signing this bond in the space provided.
6. In its application to negotiated contracts, the terms "bid" and "bidder" shall include "proposal" and "offeror."

STANDARD FORM 35 (REV. 1-90)BACK

[55 FR 25545, June 21, 1990]